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SATURDAY, FEBRUARY 3, 1906.

A beautiful behavior is better than
 a beautiful form; it gives a higher
 pleasure than pictures or pictures;
 it is the finest of fine arts.
 —Emerson.

Pass the Torrens Bill.

The Petersburg Index-Appeal comes out in a strong article on the Torrens Land Registration Bill, now pending in the General Assembly. It declares that Hon. Eugene C. Massie, patron, has met every argument against the measure fully, fairly and satisfactorily, and that "there seems to be nothing left to the opposition worthy of legislative consideration." Our contemporary is of opinion that even if the cost would be great the benefits would more than compensate. It says that the obstacles in the way of verifying land titles under the present system has done more than anything or everything else to depress the value of land and to impair its availability as a commercial and bankable asset; that under the Torrens system the business man could invest the profits of a good year in real estate without apprehension that he was crippling or crippling his business by burdening himself with an unavailable asset, when the inevitable dull season should come around, or when business activity made it necessary for him to have the use of his money temporarily. "The not unnatural wish of bank presidents," it concludes, "that paper should be easily negotiable would be realized, and the business man could take his Torrens certificate, representing a safe profit-making asset of from 5 to 10 per cent., and carry it to the bank with as great or greater assurance of accommodation than he would have with the low-interest-rate bond which is the toy and prey of Wall Street speculators. The Torrens system as a law would help the farmer, the merchant and the manufacturer and would raise land, which is the very basis of all wealth, to the dignity of a first-class asset in the commercial and financial world."

The Objections.

Yet we are met with the objection that it ought not to be easy to convey lands; that there ought to be some investments which are difficult to dispose of, in order that thriftless people may be deterred from disposing of their property. That attacks so much of government paternalism that it is enough to disgust every manly man. The government has no business setting itself up as guardian of the people. There are thriftless people, and some of them own real estate; but those who are not thriftless should not be made to suffer for the benefit of those who are. All things else being equal, the most salable asset is the most desirable asset. If a man has the stocks and bonds of a good corporation, he can always find ready sale for them, or he can take them to bank and borrow on them privately and quickly, and without going through with an expensive legal process. But if he has lands, before he can make a sale he must have the title examined, and deeds prepared and recorded, and go through with other red tape processes, troublesome and expensive, before the transaction can be completed; or if he wishes to borrow money, the difficulty and the expense are even greater. If he borrows money on his stock or bonds, the fact is known only to himself and his banker; if he borrows money on his real estate, the fact that he has mortgaged his property is proclaimed to the public—sometimes to the injury of his credit.

No wonder stocks and bonds have become greater favorites than real estate to men seeking investments. When a man buys a piece of real estate, he virtually locks up his capital; when he buys stocks and bonds he may draw his income from them, and yet use them in business transactions as so much live capital.

It is not asked that this system be made compulsory in Virginia. It is only asked that those who like it may have the privilege of adopting and using it for their benefit, and we cannot understand why the Legislature should deny this privilege to those who seek it.

Local Option and Schools.

The recommendation of Governor Montague that each city and county in the State be given the option of adopting compulsory school attendance recalls that the first public school system which Virginia had was founded on local option principles. In those days distinction was made between "schools for indigent children" and "free schools." The State had what was known as the literary fund to which belonged whatever might

accrue to the State from escheats, forfeitures, fines, sales of delinquent lands and so on, and each year the sum of \$70,000 was distributed throughout the counties and cities for the support of schools for indigent children. There was, in addition, an appropriation of \$15,000 a year to the University of Virginia, and \$1,500 a year to the Virginia Military Institute out of this fund.

But besides this it was provided that the council of a city or town having a corporation court might adopt the free school system, and further that on the petition of one-fourth of such of the white male citizens, aged twenty-one years, resident in any county without limits of any such city or town, as might be entitled to vote in an election of a delegate from such county or should have been assessed with a part of the county levy within the preceding year or actually paid the same, the court of the county should order a vote to be taken for or against the free school system, and that if two-thirds of the voters should be in favor of adopting the system the court should have the fact entered on the minutes of its proceedings and order a copy to be delivered to the existing board of school commissioners of such county.

After that the board was required to have the county laid out into school districts and another election would then be held to choose a new board of school commissioners. The commissioners thus chosen took the place of the commissioners appointed by the court for the management of the schools of indigent children and the new board made an assessment upon the county for funds to establish the school, employed the teachers and but the free school system into operation.

Any white child between the ages of six and twenty-one resident of a district were allowed to attend school and be instructed without cost.

It is worthy of note, however, that there was no provision for compulsory attendance. Indeed, it was expressly stated that even indigent children should not be required to attend the public schools, without the consent of their parents or guardian. Virginians are very jealous of their personal rights, and as a rule they are not ready, we believe, for a compulsory attendance law. But there is a strong sentiment in favor of such a measure, and by and by it will break down prejudice, and prevail. Note the prediction.

Editorial Restraint.

An Associated Press dispatch from Atlanta says that John Temple Graves has been temporarily removed from the position of editor-in-chief of the Atlanta News on petition of Charles Daniel, business manager and managing editor of the paper, granted by Judge Pendleton, of the Superior Court.

Mr. Graves is one of Georgia's most eloquent orators and brilliant writers. The News is Atlanta's red-headed newspaper, and is a very lively publication. Mr. Graves has helped to make it so. Mr. Graves not only speaks oratory; he writes it. He is a stump speaker in print, spectacular and flamboyant, and he is always entertaining, even so when he runs William R. Hearst for the presidency.

But for some reason there was lack of harmony between the editorial end of the paper, controlled by Mr. Graves, and the business end, controlled by Manager Daniel. The two departments did not co-ordinate, and finally Daniel came to judgment. He petitioned the court to enjoin, restrain and utterly prohibit the flow of Graves' eloquence into the columns of the News. He declared that Mr. Graves was afflicted with a combined attack of egotism and politics; that he was using the paper to advertise himself and promote his candidacy for office, without paying the card rate for such service, and that he was so much in love with himself that any sort of a communication was sure to be admitted by the editor if only the writer took pains to preface it with the sentence, "I read your able editorials, and am a great admirer of them."

The contest has been going on for weeks, and, of course, Editor Graves has denied all the offensive allegations of the business manager and buried them back in oratorical scorn. But, oratory is no match for business. Mr. Graves is enjoined and restrained, at least temporarily, and the editorial columns of the News are bereft and in mourning.

It is a sad story for us editors, and our sympathies go out to Brother Graves. It is humiliating that the free speech should be muzzled by base commercialism. What are we editors coming to, and what is coming to us?

Charges and Counter-Charges.

It was stated in our news columns yesterday that "if the anticipated attack upon the record of Mr. E. H. Clowes, whose fitness as a member of the Board of Visitors of the Eastern State Hospital is the subject of investigation, is made, the defense will introduce a line of evidence presenting charges of the gravest nature against the superintendent and at the same time make serious allegations concerning the general condition prevailing at the asylum to-day."

This is a remarkable statement, and we hope that there is some mistake about it. If Mr. Clowes as a member of the Board of Visitors of the Eastern State Hospital knows aught against the character of the superintendent or his management of the hospital, it is clearly his duty to make it known, regardless of any charge that may be brought against himself.

We are further informed in the same item of news that "certain Senators are preparing in the event that certain things happen, to use these as arguments for an official and systematic inspection of public institutions in the State generally." This shows that Virginia ought by all means to have a Board of Charities composed of discreet persons, who would regularly visit the prisons and asylums of the State and report from time to time the result of their investigation to the General Assembly. The inspection system is not a spy system. It is a system through which the people may know

how the general affairs of government are conducted, the inspectors being the agents of the people to keep them informed. The people have a right to all such information and it is always in the interest of honesty and fidelity in the public service that inspections be regularly made. They act as stimulating, as well as restraining, influences.

Let Up On Burton.

Has not the prosecution of A. Chadwick Burton gone far enough? He is an imposter and he worked a sly game upon the people of Richmond, but he worked in the open, he operated under a contract with a minister of the gospel in good standing, and it is not literally true that he committed theft. He obtained money under false pretences, but under a system that had been in operation in this city for years and which had the sanction in this case, at least, of the church in whose interest, in part, the canvass was made.

That Burton should have been punished and punished severely, goes without saying, but he has been punished and made to suffer untold anguish; he has been publicly exposed and mercilessly held up to scorn and contempt; he has been brought face to face in most dramatic fashion with his abandoned wife; he has been fined for immorality; he has been tried and convicted on two counts of obtaining money under false pretences and sentenced to a term in jail on each charge.

In our opinion he has been sufficiently punished, and any further prosecution will have the effect, we fear, of creating sympathy in his behalf. The community has had a valuable lesson; let us not destroy the good effect by pushing the prosecution so far as to make it look like persecution.

James Hyde may be a dead one, but none the less the Equitable is going to sue him for \$2,000 illegal profits. It has already been observed that the evil that men do is more or less likely to live after them.

Japan is anticipating an annual deficit of about \$50,000,000, thus showing her urgent need of a good, live, money-making treasurer, like Leslie M. Shaw.

The Syrian Church in New York appears to be almost wholly made up of muscular Christians.

No one has yet accused Senator Tillman of being a White House Democrat.

Capt. Mark Casto has found that heroism is also profitable.

There's something shocking in Guayaquil.

A Lawyer's Complaint.

Editor of The Times-Dispatch: Sir:—Knowing your uniform and fair conduct in the publication of your paper, I desire, as counsel for my client, Rev. J. H. A. Cyrus, of Port Royal, Va., to request you to publish this letter.

My client some time ago sued the Boston Chemical Company for damages for publishing his likeness in connection with a certain preparation called "Ozono," in a number of publications published by colored people in several parts of the United States, which preparation claimed to have the power to make the hair of colored people straight, etc. He proved that he was treasurer, and is now, of the National Baptist Convention of the United States, and a very prominent and intelligent, responsible and worthy colored man in the country, men who have known him for many years, that he was a man whose position as a man, preacher and educator was of the highest standard. He is certainly a man admired by his race, and is looked upon as a refined and educated colored man.

Being a man of such a character, he thought, as did his friends, that the publication of his picture in this connection was calculated to bring him into contempt and ridicule, and injure the great work of his life. He came to Richmond about a year before this suit was brought, and sent his counsel to see the defendant attorney, and requested it to discontinue the publication of this advertisement. His counsel went to see the gentleman who handled the advertisement, and he promised to take the picture out of the papers; this was not done, however, and suit was brought. This evidence, showing that the defendant had notice that they published the picture, was not introduced, because the attorney who saw the advertising manager of the defendant company was out of the city, and the advertising manager has died since the suit was brought.

The plaintiff, not being able to prove malice, was confined to actual damages, and his counsel told the jury that all he wanted was vindication and punishment. Hence the small verdict of \$25.

I think the article published in your paper of the 20th instant was not as courteous and as considerate in reference to my client as you generally are to the best element of the colored people. While it is not an insult to be spoken of as a "colored Barker," still it is neither courteous nor considerate to speak of a clergyman and principal of a school in the way your paper referred to Rev. J. H. A. Cyrus. The article does my client a seeming injustice, which I am satisfied you will take pleasure in correcting by publishing the above.

Respectfully,
 P. A. L. SMITH.

Richmond, Va.

The Escape.

She wakes from a deep sleep to find the flames roaring and cracking all about her.

"Merciful heavens! am I lost?" she cries.

No. On the contrary, The fire, in point of fact, has heated her curling tresses to such a degree that she can make ready to effect her escape without the loss of a precious moment.

"How little we know!" she murmurs, when at last she is borne down the ladder, looking too sweet—Puck.

When a man figures up the stubs of his check-book, he is always surprised at the smallness of his bank balance. He always hopes it will be larger than he expects, but it never is—Puck.

Tutt's Pills

After eating, persons of a bilious habit will derive great benefit by taking one of these pills. If you have been

DRINKING TOO MUCH, they will promptly relieve the nausea.

SICK HEADACHE and nervousness which follows, restore the appetite and remove gloomy feelings. Allegedly sugar coated.

Take No Substitute.

Rhymes for To-Day.

How to Feel Rich.
 Whenever my heart is moved to bleed
 In that my life seems poor and blank,
 I steal off by myself and read
 The ad of some bright savings bank—
 One of those lovely statements which
 Show how lean purses change to fat,
 And how a poor man waxes rich
 And dies a plutocrat.

Just think! If you entrust each day
 One penny to your bankers' care,
 You'll find before your hair is gray,
 That you've become a millionaire.
 One dollar saved up every week
 Will shortly yield a house and lot,
 As well as (by this plan) a yacht
 A country-seat and yacht.

Sweet compound interest for aye!
 It's working while its owner sleeps;
 It makes the pennies multiply
 And dollars aggregate in heaps.
 That's why whenever I'm off my feed
 And feel petulant and bad,
 I buy a paper quick and read
 A saving banker's ad.

H. S. H.

Merely Joking.

Which?—"Some of my jokes," declared the budding humorist, "have been extensively copied. 'AS jokes' asked a heartless friend, 'or as quasi-literary curiosities?'"

Coaches, College and Stage.—The eminent foot-ball magnate had demanded a fifth cup of coffee. "I know now," said his wife, passing it to him, "why they call you a coach." "Well, why?" he asked. "Because there is always room in you for one more."—Chicago Tribune.

Cold Water on His Proposal.—Dick: "Yes, it is never too cold for Cupid. I proposed on an ice yacht once." Eva: "Indeed? And did the proposal go through?" Dick: "Yes, and so did the ice."—Chicago News.

He Was Using It.—Mamma (at the breakfast table): "You always ought to use your napkin, George." George: "I am using it, mamma. I've got the dog tied to the leg of the table with it."—Exchange.

Relatively Speaking.—"What are Ard-luk's relations with his wife's people?" "Entirely imaginary. They don't recognize him as a relation at all."—Chicago Tribune.

THIS DAY IN HISTORY

February 3d.

1014—Sweyn, King of Denmark, died.

1399—John, of Gaunt, Duke of Lancaster, died; he was the son of Edward III., was a prince of distinguished valor and prudence and a patron of the poet, Chaucer.

1660—Charles X., of Sweden, died. He ascended the throne in 1654, and was a prudent, though warlike, monarch.

1698—Ernest Augustus, Duke of Hanover, Bishop of Osnabrück, and father of George I., of England, died.

1782—Demerara and Essequibo surrendered by capitulation from the French.

1794—George III. and Queen Charlotte went to Haymarket Theatre, which attracted so great a crowd that more than fifteen persons were trampled to death.

1797—Frederic, in Italy, carried by assault by the French under Victor, afterwards Duke of Belluno.

1800—Four British ships, carrying in all 106 guns, captured off Seven Islands, after a close action of two hours and ten minutes, the French frigate Patience, of forty-two guns and 350 men.

British lost ten killed, thirty-four wounded.

1807—Montevideo taken by storm by the British.

1808—Napoleonic garrison of Reggio surrendered to the French.

1809—The French national ship l'iris, twenty-four guns, captured by the British ship l'Amable.

1809—The Spanish Junta in Seville issued orders to their troops to give no quarter to the French in Spain.

1810—British ship Valiant, of seventy-four guns, captured the French frigate Canonniers, fourteen guns, with a cargo worth \$300,000.

The French destroyed the quick-shelf mines at El Almuden del Azore, near Seville.

1810—Guadaloupe surrendered to the British.

1813—The Spanish Cortez abolished the Inquisition.

1814—Bonaparte entered Troyes. Same day the Russians and Prussians bombarded Vitry, defended by the French, under General Montmarie.

1821—The Duke of Nemours elected King of Belgium.

1852—Battle of Santos Lugares, near Buenos Ayres, between the army of Urquiza, 20,000 men and fifty cannon, and Rosas, 25,000 men and ninety cannon. Rosas was defeated and took refuge on board an English steamer. The city was saved from pillage by ships of war of all nations.

Then in the harbor convicted in the Federal Court of Wisconsin for violation of the fugitive slave law, were discharged by the Supreme Court of the State.

1862—The Federal government decided that the captured prisoners of war were to be considered as prisoners of war.

MR. JOHN W. WHEAT.

Another Confederate War Veteran Passes Over the Great Divide.

(Special to The Times-Dispatch.)

LEXINGTON, VA., February 2.—Mr. John W. Wheat, a prominent and well-known citizen, died at his home at that place Wednesday morning of consumption, after an extended illness. Funeral services were conducted Thursday morning from the Fairfield Presbyterian Church, Rev. J. Spencer Smith, the pastor, officiating. Mr. Wheat was sixty-seven years of age. He was twice postmaster at Fairfield, first during the Gardell-Arthur administration, and later under Harrison's administration.

Mr. Wheat was a gallant soldier in the Confederate army. He enlisted in 1861 in the Twenty-seventh Virginia Infantry, and served in the famous Battle of Gettysburg, and later was transferred to Company G, Fourteenth Virginia Cavalry. In the fall of 1862 he was captured in Greenbrier county, W. Va., and was exchanged in 1863 and rejoined his command.

Mr. Wheat is survived by his wife, who was a Miss McCutchan, of Rockbridge, and one daughter, Miss Jennie D. Wheat, of Buena Vista.

ERECT NEW BUILDING.

American Tobacco Company Preparing for Immense Business.

(Special to The Times-Dispatch.)
 SOUTH BOSTON, VA., February 2.—The American Tobacco Company has decided to erect another large building at this place, which will double their capacity for handling tobacco. The new building will adjoin the old one, and will be three stories high. There will be installed

HEALTH IN THE FOOD

Every one knows that Royal Baking Powder is absolutely pure. The housewife uses it with confidence, and she is justified in so doing.

But how few realize that Royal Baking Powder is a direct product of the healthful and delicious grape! The product of the grape, crystallized and ground, is the cream of tartar which forms the active principle of every pound of Royal Baking Powder.

Fruit properties are needful for the healthfulness of the body, and the grape as used in Royal Baking Powder is the most valuable and healthful of all.

Royal Baking Powder

produces food remarkable both in flavor and wholesomeness.

ROYAL BAKING POWDER CO., NEW YORK.

THE TORRENS SYSTEM AND SOME OF ITS RESULTS

THE LAND QUESTION IN VIRGINIA.

THE RECORD SYSTEM AND THE REGISTRY SYSTEM.

It is admitted by thoughtful students and evident to all who have had any dealings in real estate, that reform in our land laws is badly needed. The only questions are, how shall it be made and to what extent shall it go? Can satisfactory results be obtained by amending the existing law? Or, must a new system be adopted? No answer to these inquiries can be given without a consideration of the difference between what may be termed the "record system" and that which is properly termed the "registry system."

Virginia, enjoys the honor of having inaugurated her record system nearly forty years before the enactment of the great "Statute of Frauds" in the reign of Charles II. of England.

THE RECORD SYSTEM.

The record system requires evidences of title to be recorded where the land lies, and makes such record notice to third parties. It deals only with evidences of title, and record is constructive notice. But many incidents that affect title are not required to be recorded. Thus there is no record of the heirs of decedents, and none of adverse possession. Title may also arise by decree of court unrecorded in the deed books; by unrecorded marriage; and by unrecorded will or deed within the periods which may arise in many ways. There are also these mysterious incumbrances known as equitable titles, whose birth and existence may not be dependent upon recordation. It is therefore impossible to get full information from the public records, and they are to this extent in the nature of a snare. Without looking any further, it is apparent that two inherent defects lie at the root of the record system.

First, it deals simply with evidences of title.

Second, it does not require all evidences to be recorded.

The results are endless searches of all the records every time any transaction is desired, and lack of certainty after the search is made. The search involves the work of an expert, who must assume grave responsibilities. He requires time for his labor, and must be paid in proportion to the nature of the service rendered and the assurance given. The transfer of title to real estate is, therefore, slow, cumbersome, expensive and uncertain. Hence such property is rendered undesirable for general investment, unavailable as a source of credit with banks, and wholly unsuited to the commercial demands of the twentieth century. This naturally restricts its market and inevitably depresses its value. Thus every individual owner is injured, business is frequently cramped where it might otherwise be extended, and the Commonwealth suffers in the comparatively small returns from taxes. The average assessment of lands in Virginia, as shown by the Auditor's Report for 1904, exclusive of buildings, was \$4.81 per acre. The assessed value of lands

and buildings, outside of cities and towns, was \$6.75 per acre. The assessed values of lands and buildings, including town lots and buildings, was \$8.16 per acre. The assessed values of lands and buildings, including city and town lots and buildings, was \$13.13 per acre. If by modern methods and improved laws the values of our lands can be increased even one dollar per acre, this will mean an annual increase of \$91,664.14 in the revenue of the State.

The distinction of the Torrens System is that it registers title, instead of mere evidences of title. Thus it deals with the thing itself, and every transfer is a transfer of actual title. Therefore, there is no need of looking backward, but every step is forward, and taken with certainty, celerity and cheapness. No expert is required to ascertain or explain conditions under ordinary circumstances, and if there be any extraordinary circumstances, plain warning is given on the face of the certificate of title. Everything is there put down in a clear and concise manner, and nothing can affect the title except what is so registered. Laymen and business men are thus enabled to deal with real estate with a freedom similar to that with which they now deal with registered certificates of stock and bonds. Thus capital is no longer buried when invested in real estate, and many a man who is now unable to buy a home because he cannot withdraw from his business the sum required for such a purchase, will be enabled to provide a home for his wife and children; for registered real estate will become a well-recognized and desirable source of credit. Many a man will also be saved from bankruptcy and enabled to preserve a home for his family in times of financial stress by the credit derived from his real estate. Also men of small means, whose fortunes are practically all invested in their homes, will be able to secure small loans and short loans, so often necessary for the relief of present distress. Such a thing is now out of the question. How many loans are now made on real estate for three months, six months, nine months, or even a year? How many loans are now made on real estate for \$100, \$200, \$500? Such transactions are unheard of under our existing laws, on account of expense, delay, and uncertainties. But they are frequent in countries where the Torrens System prevails. Is it fair to place the poor man in this condition? Is it not really depriving him of his property to the extent that he is deprived of its free use? It doesn't make so much difference to the rich man, because only a small or infinitesimal part of his fortune is invested in his home, luxurious though it be. But the man of small means, that humble individual who composes a vast majority of our citizens, has all his possessions tied up in his lowly home. Our present laws, therefore, bear with peculiar hardship upon the great majority of our people, and the good old Democratic doctrine of "the greatest good to the greatest number," should incline the Legislature to favor the Torrens System.

Two patent dryers in the new building, which will enable the company to handle twelve million pounds additional.

The company recognizes the fact that the tobacco grown in this section of Virginia and North Carolina is superior to any that is raised elsewhere in the world. South Boston now ranks among the largest tobacco markets of the world. The tobacco sales have been very large during the past week, and the prices value. Thus every individual owner is injured, business is frequently cramped where it might otherwise be extended, and the Commonwealth suffers in the comparatively small returns from taxes. The average assessment of lands in Virginia, as shown by the Auditor's Report for 1904, exclusive of buildings, was \$4.81 per acre. The assessed value of lands

There is a sharp competition among the many buyers, and tobacco is very much in demand.

Where and Wherefore.

The patient at the clinic suddenly shook off the fumes of ether, sat up on the operating table and said: "Where am I?" "When nobody answered he looked wildly into the faces of the students who filled the amphitheater and cried out: "What am I here for?"

And a voice from the rear benches replied: "For instance,"—Puck.

INCREASED WORK IN POSTOFFICE

Richmond Shows Increase of Fifteen Per Cent. in Postal Receipts for January.

The report of the business done in the Richmond Post Office, for the month of January, shows a very gratifying increase in the volume of mail handled as compared with the figures recorded in the corresponding month of last year. It is gratifying because Postoffice business is the surest index of the general business of a community. The increase of 15 per cent. in the business of the post office shows as nothing else could show, the commercial strides Richmond is making.

The figures revealed by the postoffice reports, are as follows:

Total receipts January, 1906... \$4,878.03

Total receipts January, 1905... \$3,946.28

Increase for January, 1906, over the same month last year... 5,332.34

This is an increase of something over 15 per cent. Special delivery letters were handled in January, to the number of 2,764. Handled in January, 1905, 2,193. Increase this January over last, 571.

The office paid out in January to 812 rural free delivery carriers, the sum of \$46,575.80, an increase over the same payroll for January, 1905 of \$8,829.00.

Dog Collars,

LEADS, CHAINS AND WHIPS